

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: AMERICAN MEDICAL SYSTEMS, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2325

THIS DOCUMENT RELATES TO:

Kapoun v. American Medical System, Inc., et al. Civil Action No. 2:13-cv-18480

ORDER

(Dismissing Defendant American Medical Systems, Inc. with Prejudice
and Transferring Case to MDL 2327)

On June 1, 2017 the plaintiff and defendant American Medical Systems, Inc., (“AMS”) filed a Joint Motion to Dismiss Defendant American Medical Systems, Inc. with Prejudice [ECF No. 10]. In the joint motion, the parties are seeking dismissal of AMS as a defendant in this action with prejudice because all claims against AMS have been compromised and settled, including all claims, counterclaims, cross-claims and third party claims. Also pending is Plaintiff’s Motion to Transfer MDLs for this case [ECF No. 10]. After careful consideration, it is **ORDERED** that the Joint Motion to Dismiss AMS with Prejudice is **GRANTED**. It is further **ORDERED** that the **MOTION TO TRANSFER MDLs** is **GRANTED**. To the extent an Amended Short Form Complaint has not been filed, plaintiff’s counsel is **DIRECTED** to file an Amended Short Form Complaint within the time frame stated in the motion. Defendant AMS is **DISMISSED WITH PREJUDICE** as a defendant in this action and this action is **TRANSFERRED** to MDL 2327. The Clerk is **DIRECTED** to disassociate

the civil action as member case in MDL 2325 and re-associate it with MDL 2327.

The Clerk is further DIRECTED to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: June 8, 2017


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE